

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH TWYMAN,

Defendant.

Case No. 22-CR-233-JPS

ORDER

On November 15, 2022, the Grand Jury returned a four-count Indictment, in which Defendant was charged with violating 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(D) as well as 18 U.S.C. §§ 922(a)(6), 922(n), 924(a)(1)(D), 924(a)(2), and 924(c)(1)(A)(i). ECF No. 1. On September 28, 2023, the Government filed an Information, charging Defendant with violating 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 841(b)(1)(D) as well as 18 U.S.C. §§ 922(o), 922(a)(6), and 924(a)(2). ECF No. 3. The same day, the parties filed a plea agreement indicating that Defendant intended to plead guilty to the four counts charged in the Information, with the Government to move to dismiss the Indictment at the time of sentencing. ECF No. 4.

The parties appeared before Magistrate Judge Nancy Joseph on October 17, 2023, to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. ECF No. 8. Defendant entered a plea of guilty as to each of the four counts in the Information. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Joseph determined that the guilty plea was knowing and voluntary, and that the offenses charged were

supported by an independent factual basis containing each of the essential elements of the offenses. *Id.*

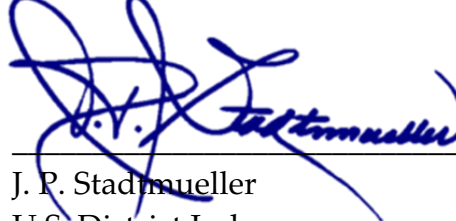
The same day, Magistrate Judge Joseph filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. ECF No. 10. Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* at 1–2. To date, no party has filed such an objection. The Court has considered Magistrate Judge Joseph's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge Nancy Joseph's Report and Recommendation, ECF No. 10, be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 8th day of November, 2023.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge